



## **CITY OF FITCHBURG MASSACHUSETTS CITY COUNCIL CALENDAR**

**Thursday, February 4, 2016 7:00PM**

**Memorial Middle School Library  
615 Rollstone Street  
Fitchburg MA 01420**

### **WELCOME TO THE FITCHBURG CITY COUNCIL!**

This is intended to help you understand the meeting format and assist you with the rules of the Council as they pertain to your participation.

All meetings of the Fitchburg City council are open to the public. This does not mean that the public participates in all aspects of the meeting. It simply means that the meeting itself, including all discussions and votes, is open for public view.

#### **Executive Session**

The only time a Council meeting can be closed to the public is when the Council votes for Executive Session in order to discuss sensitive matters in private, such as pending litigation. Any votes taken however, must be taken in open session.

### **OPPORTUNITIES FOR THE PUBLIC TO SPEAK DURING A COUNCIL MEETING:**

#### **Public Forum**

The Public Forum occurs immediately following the Pledge of Allegiance. The President will ask if anyone in the audience wishes to speak on any matter appearing on the Agenda. If you wish to address the Council, you must stand and be recognized and follow these rules before speaking:

1. State your name and address.
2. Approach the center table and either stand or sit. This allows you to be seen and heard clearly by everyone in attendance.
3. You may speak only on items appearing on the agenda for no more than (2) minutes. Copies of the agenda are available on the center table prior to the meeting.
4. Please state the petition, order, ordinance, or resolution number to which you refer.

#### **Public Hearings**

Public hearings are held on various issues such as Special Permits and Zoning changes. The same rules apply with the following exceptions:

1. You must stand and be recognized either "in favor" or "in opposition" when asked by the Council President.
2. You need not refer to the petition number.

If you have any questions or comments either before or after the meeting, any Councillor would be happy to assist you.

Thank you for your interest!

**I. PUBLIC FORUM**

**II. REPORT OF COMMITTEE ON RECORDS**

**III. COMMUNICATIONS FROM HIS HONOR THE MAYOR**

**IV. COMMUNICATIONS AND REPORTS FROM  
HEADS OF DEPARTMENTS**

**IV. COMMUNICATIONS: OTHER**

**V. ANNUAL REPORT**

- 14-16. Montachusett Regional Vocational Technical School  
2014-2015 Annual Report.

**VI. REPORTS OF COMMITTEES**

**APPOINTMENTS COMMITTEE - Oral Report:**

**New Appointments:**

**Student Police Officers:**

Mr. Tyler J. Robichaud  
Ms. Julianne I. Salas  
Mr. Daniel P. Minichiello

**Re-Appointments:**

**Assessor:**

Mr. Christopher Paquette  
(Term to expire January 1, 2019)

**FINANCE COMMITTEE:**

- 007-16. ORDER: Accepting the gift of \$3,000 from Mr. Kenneth Posco to purchase a device enabling the FPD to connect to the internet at the Community Center at 150 Main Street.  
(BE ADOPTED)
- 008-16. ORDER: Approving the expenditure of funds from the MA Executive Office of Public Safety and Security as follows:  
FY16 Fire SAFE Program - \$5,937  
FY16 Fire Senior SAFE Program - \$3,115  
(BE ADOPTED)
- 009-16. ORDER: Approving the expenditure of funds from the Montachusett Opportunity Council for the First and Railroad Street Playground Improvement Grant, in the approximate amount of \$17,609.  
(BE ADOPTED)

- 010-16. ORDER: Appropriate \$29,797 same to be charged to Available Funds and credited to accounts as follows:  
Election and Registration Personal Services - \$24,484;  
Election and Registration Personal Services Overtime - \$1940;  
Election and Registration Expenses - \$3,373  
(BE ADOPTED)
- 011-16. ORDER: Transfer the sum of \$16,000 from Police Personal Services to Police Other Expenses.  
(BE ADOPTED)

#### **PUBLIC WORKS COMMITTEE**

- 254-14. Councillor Joel Kaddy and various city residents, to make Main St. a one lane street with a bike lane on the left and ~~angled parking on the right~~ from Blossom St. to Old City Hall. Including parking at Monument Park for library only. Also raise crosswalks for pedestrian safety. (Note amendment).  
(BE HELD IN COMMITTEE)
- 207-15. Kenneth J. Matson, President-Matson Homes, Inc. - to accept Downy Circle, located within the Parker Hill subdivision, as a public way.  
(BE HELD IN COMMITTEE)
- 215-15. James C. Pappas, Manager-Alex Developers, LLC.  
1. Accept Turkey Hill Rd. from Mt. Elam Rd. westerly approx.. 500 ft. to Goodfellow Drive as a public way;  
2. Accept Goodfellow Drive, a circular road at the terminus of Turkey Hill Rd., approx. 1400 feet in length, as a public way.  
(BE HELD IN COMMITTEE)
- 244-15. Councillor Jody Joseph and David Sullivan, to place driveway apron at 240 Electric Ave. to eliminate water and sand runoff.  
(BE GRANTED)

#### **VII. RECESSED HEARINGS**

- 240-15. City of Fitchburg Planning Board to amend Chapter 181 of the Code of the City of Fitchburg entitled "Zoning" and accompanying Zoning Map as follows: Add a new section 181.89, West Fitchburg Corridor Overlay District.

### **VIII. HEARINGS**

- 6-16. SPECIAL PERMIT PETITION: MH Rose, Inc. to renovate existing three family home and offer three rental units upon completion. (76-78 Nashua Street)
- 012-16. South Coast Development, 280 Ayer Road, Harvard MA for flammable storage of 35,000 gallons as follows: 26,000 gallons of gasoline and 9,000 gallons of diesel in two underground fuel storage tanks at 487 Princeton Road.

### **IX. ORDERS - FINANCE**

- 15-16. ORDER: Transfer \$30,000 to Water Personal Services Overtime from Water Capital-Water System Improvements.
- 16-16. ORDER: Approve the expenditure of funds from the MA Dept. of Public Health Bureau of Substance Abuse for the FY16 First Responder Narcan Grant in the approximate amount of \$12,750.
- 17-16. ORDER: Appropriate \$250,000, same to be charged against Available Funds and credited to accounts as follows: \$40,000 to DPW-Snow and Ice Personal Services Overtime and \$210,000 to DPW-Snow and Ice Expenses.

### **X. ORDERS - OTHER**

- 18-16. ORDER: Authorizing the City Clerk to notify the voters of the Special State Election to be held on March 1, 2016.
- 19-16. ORDER: Authorizing the City Clerk to notify the voters of the Presidential Primary to be held on March 1, 2016.

### **XI. ORDINANCES**

- 20-16. ORDINANCE: That Chapter 181, section 3561 of the Code of the City of Fitchburg (Zoning - Special Permit for Nonconforming Structures Abandoned or Not Used for More Than Two Years) as most recently amended, be further amended by striking the words: "City Council" and by inserting the words "Board of Appeals".  
(FIRST READING)
- 21-16. ORDINANCE: That Chapter 181, section 356 of the Code of the City of Fitchburg (Zoning - Abandonment or Non-use" as most recently amended, be further amended by adding:  
"This section shall not apply to the re-use of a lawfully existing nonconforming single or two family

structure where the principle use is permitted by right in the specified district under 181.313, and provided that no modification of the use or structure is accomplished unless authorized under the provisions of 181.35  
(FIRST READING)

## **XII. PETITIONS**

- 22-16. Vincent Pusateri, II, City Solicitor to do the following:
1. Establish an Order reallocating funds from the Labor Negotiator Fund account to the Litigation and Special Counsel Fund account;
  2. Authorize the Law Department to use said funds to hire as special counsel Attorney William Trainor to handle worker's compensation cases on behalf of the City;
  3. Authorize the Law Department to use said funds to hire as special counsel Attorney John Barrett to continue the smooth transition of the Law Department duties.  
(Finance Committee)
- 23-16. Vincent Pusateri, II, City Solicitor to designate the positions of City Solicitor and Assistant City Solicitor as special municipal employee positions under MGL Chapter 268A section 1(n).  
(Legislative Affairs)
- 24-16. Vincent Pusateri, II, City Solicitor to designate the positions of Airport Commissioners as special municipal employee positions under MGL Chapter 268A section 1(n).  
(Legislative Affairs)
- 25-16. Michael A. Ward, 15 Stetson St. Leominster to refer to the Public Safety Committee the following:
1. At times, dogs are subjected to unnecessarily cruel treatment;
  2. The system to locate the owners of lost dogs or to locate adoptable homes for stray dogs;
  3. To examine and determine why a multitude of dogs (double figure) have disappeared while under the supervision of the animal control officer.  
(Public Safety)
- 26-16. SPECIAL PERMIT PETITION: Zachary Flekner, 226 Oak Hill Road, Fitchburg to renovate existing, non-conforming two family home located at 12 Park Street (Map 18 Block 93 Lot 0) that has been abandoned or not used for a period of more than two years.  
(Public Hearing March 3, 2016)

### **XIII. TABLED MATTERS**

- 250-15. ~~Joseph Poznick, Chairman on behalf of the Airport Commission to petition the City of Fitchburg to accept as a gift, purchase, or to take by eminent domain under Ch. 79, s. 1 of the MA General Laws, permanent aviation easements located in the area of Battles Avenue as outlined in the enclosed petition.~~